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DINSMORE SHOHL

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PTO/2B/30 (5/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/038,290
Filing Date	October 19, 2001
First Named Inventor	Gregory A. Hyatt
Group Art Unit	3723
Examiner Name	Rachuba, Maurina T.
Attorney Docket Number	5203-65

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114
 - a. ☒ Previously submitted
 - ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on November 21, 2003
(Any unentered amendment(s) referred to above will be entered.)
 - ☐ Consider the arguments in the Appcal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - b. ☐ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____
2. Miscellaneous
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required.)
 - b. ☐ Other _____
3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
 - i. ☐ RCE fee required under 37 C.F.R. §1.17(e)
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☐ Check in the amount of \$ _____ enclosed
 - c. ☒ Please charge the amount of \$770.00 to our Deposit Account No. 04-1133.
 - d. ☒ The Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 04-1133

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Type/Print)	Stephen S. Wentsler	Registration No. (Attorney/Agent)	46,403
Signature	<i>Stephen S. Wentsler</i>	Date	December 11, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile to: ATIN: Examiner Maurina T. Rachuba, Mail Stop RCE; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at facsimile number (703) 872-9306 on December 11, 2003.

Name (Type/Print)	Linda G. Drake	Date	December 11, 2003
Signature	<i>Linda G. Drake</i>		

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**DINSMORE
& SHOHL, LLP**

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from **STEPHEN S. WENTSLER**

Direct: 513-977-8683 / Fax: 513-977-8141 / stephen.wentsler@dinslaw.com

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Comments: Enclosed please find copies of Request for Continued Examination Transmittal (RCE) for filing with the U.S. Patent and Trademark Office

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